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April 5, 2006

**FAX**

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Buddy Toliver / Maggie Gately

FROM

9

PAGES (WITH COVER)

5989

REFERENCE NO

38949/293059

CLIENT/MATTER NO.

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**COMMENTS**

Applicant: Derek METCALF  
Title: Adjustable Cantilevered Shelf  
Serial No./Docket No.: 10/699,396 38949/293059  
Filed: October 30, 2003

**PAPERS SUBMITTED:**

1. PTO/SB/21 -- Transmittal form;
2. Response

Date: April 5, 2006  
By: Leroy M. Toliver, Reg. No. 50,409

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PTO/SB/21 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

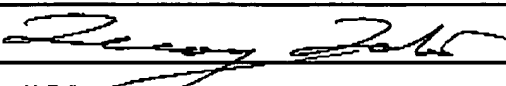
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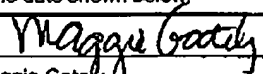
**APR - 5 2006**

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<b>TRANSMITTAL FORM</b>	Application Number		10/699,396
	Filing Date		October 30, 2003
	First Named Inventor		Derek METCALF
	Art Unit		3634
	Examiner Name		Novosad, Jennifer
(to be used for all correspondence after initial filing)			
Total Number of Pages In This Submission	8	Attorney Docket Number	38949/293059

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Kilpatrick Stockton LLP		
Signature			
Printed Name	Leroy M. Toliver		
Date	April 5, 2006	Reg. No.	50,409

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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Typed or printed name	Maggie Gately	Date	April 5, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Applicants: Derek METCALF

Serial No.: 10/699,396

Art Unit: 3634

Filed: October 30, 2003

Examiner: Novosad, Jennifer Eleanor

For: Adjustable Cantilevered Shelf

Attorney Docket No: 38949/293059

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this document and all documents referred to as enclosed are being facsimile transmitted to the U.S. Patent and Trademark Office Central Fax No.: (571) 273-8300 on April 5, 2006.

  
Maggie Gately**RESPONSE TO OFFICE ACTION**

Sir:

This paper responds to the Office Action mailed January 6, 2006 in the above-identified patent application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.